

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

United States of America,

Plaintiff,

v.

Case No. 18-cr-20686

Hon. Denise Page Hood

Peter Raymond Nwoke,

Defendant.

_____ /

MOTION FOR DISCOVERY AND TO ADJOURN TRIAL AND EXTENSION
OF
MOTION DATES

NOW COMES Defendant, by and through his attorney, Joseph Falcone, and hereby moves the Court for an order compelling discovery against the United States and for an adjournment of Trial and dates to file motions, and in support thereof, states as follows:

1. The Defendant was arraigned on August 6, 2019.

2. According to the Standing Order for Discovery and Inspection and Fixing Motion Cut-Off Dates in Criminal Cases, dated October 1, 2003, in Criminal Cases, the United States was to have provided discovery within ten days, or by August 16, 2019.
3. Although the discovery has been promised, it has not been produced.
4. This delay in discovery production has prejudiced Defendant in that it is impossible to determine what motions are needed to be filed and to prepare a defense.
5. It is necessary that the Court order the United States to immediately produce the required discovery.
6. Because of the delay in discovery production, Defendant would be prejudiced if the trial were held as scheduled, September 10, 2019, and this Court should adjourn that date as well as the deadline to file motions.
7. The parties have conferred and the United States has indicated that it has no objection to the extension of the trial date and the motion date, but would have an objection to be ordered to produce the discovery.

WHEREFORE, Defendant prays that this Motion be granted and the government be order to produce discovery immediately and the Court adjourn the trial and motion deadline.

/s/ Joseph Falcone August 22, 2019
Attorney for Defendant
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BRIEF IN SUPPORT

Defendant relies on the October 1, 2003, Standing Order for Discovery and Inspection and Fixing Motion Cut-Off Date in Criminal Cases.

/s/ Joseph Falcone August 22, 2019
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